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Response to Office Action Dated Aug. 1, 2005

REMARKS

In response to the Office Action dated August 1, 2005, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

A review of the claims indicates that:

Claims 4-8 and 10-11 remain in their original form.

Claims 1 and 9 are currently amended.

Claims 2-3 are previously presented.

No claims are currently cancelled.

Claims 1-3, 5-6, and 8-11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,876,865 to Sanger (hereinafter "Sanger").

Claims 4 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sanger in view of U.S. Patent No. 6,097,801 to Williams et al. (hereinafter "Williams").

In view of the following remarks, Applicant respectfully requests reconsideration of the rejected claims.

Telephone Conversation with Examiner

Applicant wishes to thank the Examiner for the telephonic conversation on November 8, 2005. In particular Applicant appreciated the opportunity to explain the differences between the features recited in the claims above, and the apparatus and methods taught in Sanger, which are reiterated below.

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Claim Rejections under 35 U.S.C. §102(e)

Claims 1-3, 5-6, and 8-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sanger. Applicant respectfully traverses the rejection.

Amended independent claim 1 recites, with emphasis added to facilitate discussion:

A method comprising:

requesting a block of telephone numbers from a number pool organization, wherein numbers in the requested block of telephone numbers are to be used by a receiving service provider as both telephone directory numbers and customer identifiers for customers of the receiving service provider, wherein the number pool organization coordinates donation and allocation of blocks of telephone numbers for use by a plurality of service providers comprising the receiving service provider, and other service providers;

receiving the requested block of telephone numbers from the number pool organization, the received block of telephone numbers comprising a plurality of telephone numbers already in use by the other service providers and a plurality of telephone numbers not already in use by the other service providers;

retrieving from a database a list comprising the plurality of telephone numbers already in use by the other service providers and therefore unavailable for use as both telephone directory numbers and customer identifiers for customers of the receiving service provider; and

retrieving from a database, a location routing number of a switch of the receiving service provider associated with the plurality of telephone numbers not already in use by the other service providers and therefore available for use by the receiving service provider as both telephone directory numbers and customer identifiers for customers of the receiving service provider.

Sanger fails to disclose the method of amended claim 1. Instead, Sanger discloses a method in which subscribers act as service providers in a virtual

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1 private network. (Col. 1, lines 5-8 and Col. 2, lines 48-53). For example, as best
2 as Applicant understands Sanger, a train crewmember may act as a service
3 provider for service users who are subscribers of fixed or mobile networks. (Col.
4 3, lines 6-18). The service provider uses his end device to request the allocation of
5 a service number to his GSM address International Mobile Subscriber Identity
6 (IMSI) Mobile Station International ISDN Number (MSISDN). (Col. 3, lines 37-
7 39). Service numbers are call numbers that can be dialed and called within a
8 Virtual Private Network. (Col 3, lines 19-20). If the service number is
9 unassigned, the service provider may obtain the service number using his end
10 device. (Col. 4, lines 10-14).

11 Alternately, however, if the service number is already assigned, the service
12 number cannot be given to a new service provider. (Col. 3, lines 52-57). In such a
13 scenario, and as best as Applicant understands Sanger, a new service provider may
14 only be allowed to receive the "assigned" service number by either (1) convincing
15 the existing holder of the assigned number to delete it (thus making it unassigned),
16 or (2) requesting a network component with special authorization to delete the
17 service number from the existing holder. (Col. 3, lines 47-51 and Col. 4, lines 21-
18 24). Therefore, under Sanger assigned service numbers cannot be granted to new
19 service providers.

20 Thus, Sanger fails to disclose or show "receiving the requested block of
21 telephone numbers from the number pool organization, the received block of
22 telephone numbers comprising a plurality of telephone numbers already in use
23 by the other service providers and a plurality of telephone numbers not already in
24 use by the other service providers" as recited in claim 1. In contrast, as
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1 discussed above, Sanger discloses that service numbers cannot be granted to
2 service providers unless the service numbers are already "unassigned". This
3 is contrary to the method recited in claim 1, since the block of telephone
4 numbers received by a service provider in claim 1 comprises *a plurality of*
5 *telephone numbers already in use by the other service providers* and a plurality
6 of telephone numbers not already in use by the other service providers (i.e.
7 "assigned" and "unassigned" telephone numbers using the jargon of Sanger).
8 The receipt of such a mixture of "assigned" and "unassigned" service numbers
9 by a new service provider would be impossible under Sanger.

10 In rejecting the above cited element of claim 1, the Office relies on
11 Sanger at Col. 3, lines 52-57. Applicant respectfully disagrees. As noted
12 above, Sanger discloses rejecting requests for a service number if the service
13 number is assigned. Thus "receiving the requested block of telephone numbers
14 from the number pool organization, the received block of telephone numbers
15 comprising *a plurality of telephone numbers already in use by the other service*
16 *providers* and a plurality of telephone numbers not already in use by the other
17 service providers", as recited in claim 1, would be impossible under Sanger. For
18 this reason alone, claim 1 is allowable over Sanger.

19 Sanger also fails to disclose or show "retrieving from a database a list
20 comprising the plurality telephone numbers already in use by the other service
21 providers and therefore unavailable for use as both telephone directory numbers
22 and customer identifiers for customers of the receiving service provider".
23 Instead, as mentioned above, if a service number is "assigned" it cannot be given
24 to a new service provider. Thus there is no need to retrieve from a database a list
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1 comprising the plurality of telephone numbers already in use by the other service
2 providers, since these numbers cannot be assigned to a new service provider in
3 the first place. Thus a new service provider would have no need for this
4 information, and indeed, Sanger does not disclose such a database, or its access
5 by a service provider.

6 In rejecting the above cited element of claim 1, the Office relies on
7 Sanger at Col. 2, lines 53-61. Applicant respectfully disagrees. The
8 Office's cited passage of Sanger discloses:

9 "In Fig. 2 three subscribers SC1, SC2, SC3 are shown. A
10 number of subscriber environments (subscriptions) in form of
11 subscriber data records (or sets) SDR1, SDR2, ... SDR8 are
12 reserved for the subscribers of the virtual private network. *The*
13 *subscriber data records can be freely assigned to any of the*
14 *subscribers of the virtual private network.* In Fig. 2, the
15 subscriber data record SDR1 is assigned to the subscriber SC2,
16 the subscriber data record SDR3 is assigned to the subscriber
17 SC1, and the subscriber data record is assigned to the
18 subscriber SC3" (Col. 2, lines 53-61)

19 This passage merely discloses that, under Sanger, subscriber data
20 records may be freely assigned to subscribers of a virtual private network.
21 Nowhere does this passage, or any other passage in Sanger, disclose or show
22 "*retrieving from a database a list comprising the plurality telephone numbers*
23 *already in use by the other service providers* and therefore unavailable for use as
24 both telephone directory numbers and customer identifiers for customers of the
25 receiving service provider" as recited in claim 1. Instead, as discussed above, a
list comprising the plurality of telephone numbers already in use by the other
service providers is not disclosed by Sanger since "assigned" telephone numbers

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1 cannot be given to new service providers. Thus accessing such a list would not
2 be necessary under Sanger. And indeed no such database is disclosed, nor is the
3 action of retrieving a list comprising the plurality telephone numbers already in
4 use by the other service providers from such a database disclosed. For this
5 reason alone, claim 1 is allowable over Sanger.

6 Sanger also fails to disclose "retrieving from a database, a location
7 routing number of a switch of the receiving service provider associated with the
8 plurality of telephone numbers not already in use by the other service providers
9 and therefore available for use by the receiving service provider as both
10 telephone directory numbers and customer identifiers for customers of the
11 receiving service provider". Rather, Sanger simply discloses that service
12 numbers themselves are allocated to new service providers without providing
13 specific details of how this allocation takes place. Thus, retrieving from a
14 database, a location routing number of a switch of the receiving service provider
15 associated with the plurality of telephone numbers not already in use by the other
16 service providers is not disclosed in Sanger.

17 In rejecting the above cited element of claim 1, the Office relies on
18 Sanger at Col. 3, lines 37-57, Col. 4, lines 10-29 and Col. 5, lines 24-46.
19 Again, Applicant respectfully disagrees. As noted above, Col. 3, lines 37-57
20 and Col. 4, lines 10-29 of Sanger merely disclose that "assigned" service
21 numbers may not be granted to new service providers. Moreover, Col. 5,
22 lines 24-46 merely disclose that a service number may only be allocated to a
23 service provider if the service provider passes an authorization check carried
24 out by the system. The system may check to see if the service provider is
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1 authorized via subscription, or the system may look at the service provider's
2 subscription data itself to see if the service provider is authorized to receive
3 a service number. (Col. 5, lines 30-47).

4 Checking the authorization of a service provider to receive a service
5 number, and restricting service providers to the receipt of "unassigned"
6 service numbers is not the same as "retrieving from a database, a location
7 routing number of a switch of the receiving service provider associated with the
8 plurality of telephone numbers not already in use by the other service providers
9 and therefore available for use by the receiving service provider as both
10 telephone directory numbers and customer identifiers for customers of the
11 receiving service provider" as recited in claim 1. In fact, nowhere in Sanger is a
12 location routing number of a switch disclosed. Moreover, Sanger also fails to
13 disclose retrieving a location routing number of a switch of the receiving service
14 provider associated with the plurality of telephone numbers not already in use by
15 the other service providers from a database. For this reason alone, claim 1 is
16 allowable over Sanger.

17 Accordingly, Sanger does not disclose or show all the elements of claim 1.
18 Therefore, claim 1 is allowable over Sanger. Applicant respectfully requests that
19 the §102 rejection be withdrawn.

20 Claims 2-8 depend from Claim 1 and are allowable due to their dependence
21 from an allowable base claim. These claims are also allowable for their own
22 recited features that, in combination with those recited in Claim 1, are not
23 disclosed or shown by Sanger.

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1 **Amended independent claim 9 recites, with emphasis added to facilitate**
2 **discussion:**

3 **A system comprising:**

4 **an interface for communicating between a number**
5 **pooling authority and a component of the a service provider, wherein**
6 **the service provider has requested a block of telephone numbers to be**
7 **used as both telephone directory numbers and customer identifiers for**
8 **customers of the requesting service provider, wherein the number**
9 **pool organization coordinates donation and allocation of blocks of**
10 **telephone numbers for use by a plurality of service providers**
11 **comprising the requested service provider and other service providers;**

12 *a database comprising a list of numbers in the block of*
13 *telephone numbers received by the requesting service provider, the*
14 *list comprising the plurality of telephone numbers already in use by*
15 *the other service providers and therefore unavailable for use as both*
16 *telephone directory numbers and customer identifiers for*
17 *customers of the requesting service provider; and*

18 *a database comprising a location routing number of a*
19 *switch of the requesting service provider associated with the*
20 *plurality of telephone numbers not already in use by the other*
21 *service providers and therefore available for use by the requesting*
22 *service provider as both telephone directory numbers and customer*
23 *identifiers for customers of the requesting service provider in the*
24 *block of telephone numbers received by the requesting service*
25 *provider.*

17 Sanger fails to disclose or show the system of amended claim 9. For
18 example, Sanger does not disclose or show "a database comprising a list of
19 numbers in the block of telephone numbers received by the requesting service
20 provider, the list comprising the plurality of telephone numbers already in use by
21 the other service providers and therefore unavailable for use as both telephone
22 directory numbers and customer identifiers for customers of the requesting
23 service provider". As discussed in more detail in conjunction with claim 1
24 above, under Sanger service numbers are not assigned to service providers

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1 unless the service numbers are already "unassigned". This is contrary to the
2 system recited in claim 9, since the block of telephone numbers received by a
3 service provider in claim 9 comprises *a plurality of telephone numbers already*
4 *in use by the other service providers*. The receipt of such "assigned" service
5 numbers by a new service provider would be impossible under Sanger, and thus
6 there would be no need for a database including a list comprising *the plurality of*
7 *telephone numbers already in use by the other service providers and therefore*
8 *unavailable for use as both telephone directory numbers*, since these numbers
9 could not be assigned to a new service provider in the first place.

10 In rejecting the above cited element of claim 9, the Office relies on
11 Sanger at Col. 2, lines 53-61. Applicant respectfully disagrees. As
12 discussed above, Sanger only discloses that subscriber data records may be
13 freely assigned to subscribers to the virtual private network. Nowhere does
14 Sanger disclose "a database comprising a list of numbers in the block of
15 telephone numbers received by the requesting service provider, *the list comprising*
16 *the plurality of telephone numbers already in use by the other service providers*
17 *and therefore unavailable for use as both telephone directory numbers* and
18 customer identifiers for customers of the requesting service provider" as recited
19 in claim 9. Moreover since "assigned" telephone numbers cannot be given to
20 new service providers such a database has no meaning under Sanger, and cannot
21 exist. Thus, the notion of freely assigning subscriber data records to subscribers
22 of the virtual private network, as disclosed in Col. 2, lines 53-61, has no
23 relevance to the elements recited in claim 9. For this reason alone, claim 9 is
24 allowable over Sanger.

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1 Sanger also fails to disclose "a database comprising a location routing
2 number of a switch of the requesting service provider associated with the
3 plurality of telephone numbers not already in use by the other service providers
4 and therefore available for use by the requesting service provider as both
5 telephone directory numbers and customer identifiers for customers of the
6 requesting service provider in the block of telephone numbers received by the
7 requesting service provider". Rather, as discussed above, Sanger simply
8 discloses that service numbers themselves are allocated to new service providers
9 without providing specific details of how this allocation takes place.

10 In rejecting the above cited element of claim 1, the Office relies on
11 Sanger at Col. 3, lines 37-57, Col. 4, lines 10-29 and Col. 5, lines 24-46.
12 Again, Applicant respectfully disagrees. As noted above, checking the
13 authorization of a service provider to receive a service number, and
14 restricting service providers to the receipt of unassigned service numbers is
15 not the same thing as having a database comprising a location routing number
16 of a switch of the requesting service provider associated with the plurality of
17 telephone numbers not already in use by the other service providers. In fact,
18 nowhere in Sanger is a location routing number of a switch disclosed. As a
19 consequence, Sanger also fails to disclose "a database comprising a location
20 routing number of a switch of the requesting service provider associated with the
21 plurality of telephone numbers not already in use by the other service providers",
22 as recited in claim 9. For this reason alone, claim 9 is allowable over Sanger.

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1 Accordingly, Sanger does not disclose all the elements of claim 9.
2 Therefore, claim 9 is allowable over Sanger. Applicant respectfully requests that
3 the §102 rejection be withdrawn.

4 Claims 10-11 depend from Claim 9 and are allowable due to their
5 dependence from an allowable base claim. These claims are also allowable for
6 their own recited features that, in combination with those recited in Claim 9, are
7 not disclosed or shown by Sanger.

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9 **Claim Rejections under 35 U.S.C. §103(a)**

10 The remaining claims are rejected under a set of §103 rejections, all of which
11 rely on Sanger as the primary reference. Moreover, all of these claims depend
12 from base claims addressed above.

13

14 **Sanger +Williams**

15 Claims 4 and 7 stand rejected under 35 U.S.C. §103(1) as being
16 unpatentable over Sanger in view of Williams. Applicant respectfully traverses
17 the rejection.

18 With respect to dependent claims 4 and 7, neither reference teaches nor
19 suggests “receiving the requested block of telephone numbers from the number
20 pool organization, the received block of telephone numbers comprising a
21 plurality of telephone numbers already in use by the other service providers and
22 a plurality of telephone numbers not already in use by the other service
23 providers” as recited in claim 1 from which claims 4 and 7 depend. Sanger
24 specifically teaches that service numbers may not be assigned to service

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1 providers unless the service numbers are already "unassigned". Thus, a
2 plurality of service numbers already in use by other service providers may
3 not be received by a new service provider under Sanger. Williams fails to
4 provide the teachings missing from Sanger. For this reason alone, claims 4
5 and 7 are allowable over the combination of Sanger and Williams.

6 In addition, neither reference teaches nor suggests "retrieving from a
7 database a list comprising the plurality of telephone numbers already in use by
8 the other service providers and therefore unavailable for use as both telephone
9 directory numbers and customer identifiers for customers of the receiving service
10 provider" as recited in claim 1, from which claims 4 and 7 depend. Instead, as
11 discussed above, since assigned numbers may not be sent to new service
12 providers, a database including a list comprising the plurality of telephone
13 numbers already in use by the other service providers cannot exist. This is
14 corroborated by the text of Sanger which omits any teaching regarding such a
15 database. Williams fails to provide the teachings missing from Sanger. For
16 this reason alone, claims 4 and 7 are allowable over the combination of Sanger
17 and Williams.

18 Moreover, neither reference teaches nor suggests "retrieving from a
19 database, a location routing number of a switch of the receiving service provider
20 associated with the plurality of telephone numbers not already in use by the other
21 service providers and therefore available for use by the receiving service
22 provider as both telephone directory numbers and customer identifiers for
23 customers of the receiving service provider" as recited in claim 1, from which
24 claims 4 and 7 depend. Rather, Sanger simply discloses that service numbers

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1 themselves are allocated to new service providers without providing specific
2 details of how this allocation takes place. Thus, Sanger neither teaches nor
3 suggests "retrieving from a database, a location routing number of a switch of
4 the receiving service provider associated with the plurality of telephone numbers
5 not already in use by the other service providers". Nor, in fact, is the notion of
6 a location routing number itself. Again, Williams fails to provide the
7 teachings missing from Sanger. For this reason alone, claims 4 and 7 are
8 allowable over the combination of Sanger and Williams.

9 Accordingly, the combination of Sanger and Williams fails to teach or
10 suggest the methods of claim 4 and claim 7. Applicant respectfully requests that
11 the §103 rejection of claim 4 and claim 7 be withdrawn.

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Conclusion

The Applicant submits that all of the remaining claims are in condition for allowance and respectfully requests that a Notice of Allowability be issued. If the Office's next anticipated action is not the issuance of a Notice of Allowability, the Applicant respectfully requests that the undersigned attorney be contacted for the purpose of scheduling an interview.

Respectfully Submitted,

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